

REMARKS

1. Claims 1-5, 7-12 and 14 are pending in the Application and stand rejected. Claims 13 and 15-23 have been cancelled. In view of the foregoing amendments to the claims and the following remarks, Applicant respectfully requests allowance of the application.

2. Claim Rejection under 35 USC §112, first paragraph. Claim 5 stands rejected for failing to comply with the written description requirement. Applicant respectfully traverses this rejection. Bending (from claim 4) is discussed in paragraphs [0020] and [0036] of Applicant's specification as published. Pulling is discussed in paragraph [0031] of Applicant's specification, and also shown in Fig. 3.

Claims 1, 3, 4, 5, 8, 12 and 14 have been amended to address minor clarity issues. Applicant respectfully requests that this rejection be withdrawn.

3. Rejection Under §103(a). Claims 1-3 and 7-10 stand rejected over Moichi (JP 01-222927 in view of Baier (3,159,913). Applicant respectfully traverses this rejection. The location and sequence of heating is very important for the finished product in Applicant's claimed invention. Moreover, the use of shrink tubing and the sequence of heating to expel air, as shown in Moichi, is particularly ineffective when the composite is small like that of an orthodontic wire. The shrinking method of Baier will not help overcome this problem. Other techniques must be used to help remove air from the composite.

Applicant's invention solves this problem with the step of placing the composite in a vacuum prior to completely shrinking the die. Claim 1 has been amended accordingly. Support for this additional step is found in paragraph [0035] of Applicant's specification. This step is highly advantageous in that it helps remove any gas trapped inside the tunnel, and thereby helps increase the strength of finished parts made from the

cured composite. The combination of elements recited in Claim 1 is not taught or suggested in any of the art of record. Claims 2-3 and 7-10 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1. Applicant therefore respectfully requests that this rejection be withdrawn.

4. Rejection Under §103(a). Claims 4, 5 and 14 stand rejected over Moichi (JP 01-222927 in view of Baier (3,159,913), and further in view of Goldberg (US Patent 4,717,341). Applicant respectfully traverses this rejection. Claims 4, 5 and 14 all depend from Claim 1 which is allowable over Moichi in view Baier for the reasons discussed above. Nothing in Goldberg cures the deficiencies of these references. Applicant therefore respectfully requests that this rejection be withdrawn.

5. Rejection Under §103(a). Claims 11 and 12 stand rejected over Moichi (JP 01-222927 in view of Baier (3,159,913), and further in view of Kalnin (US Patent 3,674,581). Applicant respectfully traverses this rejection. Claims 11 and 12 all depend from Claim 1 which is allowable over Moichi in view Baier for the reasons discussed above. Nothing in Kalnin cures the deficiencies of these references. Applicant therefore respectfully requests that this rejection be withdrawn and that the claims be allowed.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant requests withdrawal of the rejection of the claims and allowance of the application.

Respectfully submitted,

DINSMORE & SHOHL LLP

By /James E. Beyer/
James E. Beyer
Registration No. 39,564

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio
U.S.A. 45402
Tel: (937) 449-6400
Fax: (937) 449-6405

MZ/kew
(94340-2)